



T R A I N O R F A I R B R O O K

A T T O R N E Y S A T L A W

Arthur B. Mark, III
amark@trainorfairbrook.com

December 12, 2007

Honorable Joseph C. Spero
United States Magistrate Judge
United States District Court Northern District of California
450 Golden Gate Avenue, 16th Floor #1111
San Francisco, California 94102

Re: WRI Golden State, LLC v. Save Mart Supermarkets, d/b/a Food Maxx
U.S. District Court Case No. 07-01480 MMC (JCS)
Joint Status Letter on Progress of Resolution of Discovery Dispute

Dear Judge Spero:

The purpose of this letter is to update the court on the progress of the parties' meet and confer efforts pursuant to this Court's November 15, 2007 Order. As directed by the Court's order, on November 28, 2007, lead trial counsel for the parties met in person. Specifically, John Fairbrook, counsel for WRI Golden State, LLC and Gregory O'Hara, and Daniel Muller, counsel for Save Mart were present. At this meeting, Mr. Fairbrook provided defendants with a draft of a proposed stipulated protective order for consideration. Since November 28, 2007, the parties' attorneys have continued to meet and confer via telephone and facsimile in an effort to reach an agreement on the terms of the stipulated protective order.

Although significant progress has been made, further points with respect to the terms of the protective order and several unresolved issues remain. However, both parties believe that a resolution of at least a portion of the issues raised by defendant's motion can be resolved by agreement. As such, the parties request additional time to meet and confer in order to continue our discussions of the issues raised by defendant's motion.

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The parties are optimistic that they can agree on the terms of a stipulated protective order with respect to some of the issues. Accordingly, the parties respectfully request that they be given additional time to continue their discussions. Specifically, we request the Court allow us to submit a supplemental report on this matter to the Court no later than January 7, 2008.

Dated: December 12, 2007

Respectfully submitted,

TRAINOR FAIRBROOK

By: 
Attorneys for WRI GOLDEN STATE, LLC

Dated: December 12, 2007

Respectfully submitted,

THELEN REID BROWN RAYSMAN &
STEINER LLP

By: 
Attorneys for SAVE MART SUPERMARKETS

ABM:wms

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Dated: December 14, 2007

